



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

JUL 16 2009

Christian Parrot, Mayor
Borough of Sussex
2 Main Street
Sussex, New Jersey 07461

Dear Mayor Parrot:

This is in response to the Borough of Sussex's June 11, 2009 request for a categorical exclusion (CATEX) from substantive environmental review requirements, pursuant to 40 CFR Part 6, for its sanitary sewer collection system improvements project. The Borough plans to request financial assistance for the project through a federal Special Appropriation Act Grant.

The proposed project consists of rehabilitating approximately 250 sanitary sewer manholes and replacing approximately 1,500 linear feet of eight-inch diameter sanitary sewer pipe in various areas of the Borough. The manholes are presently in fair to poor condition, and are subject to excessive infiltration. The sewer lines are problematic due to root intrusion and/or age-related structural stability problems and other sewer blockage-related issues. The project is expected to help prevent wastewater overflows into Clove Brook.

The project meets the CATEX eligibility criteria found in 40 CFR 6.204(a)(1)(ii). This category includes "actions relating to existing infrastructure systems (such as sewer systems, drinking water supply systems, and stormwater systems, including combined sewer overflow systems) that involve ... rehabilitation (including functional replacement) of the existing system and system components (such as the sewer collection network and treatment system; the system to collect, treat, store and distribute drinking water; and stormwater systems, including combined sewer overflow systems) or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities."

This project does not involve a new or relocated discharge to surface or ground water, an increase in the volume or loading of pollutants to receiving water, or capacity to serve a population 30 percent greater than the existing population. Further, it is not contrary to any state or regional growth plan or strategy; and it is not primarily for the purpose of future development.

Additionally, the available information you provided concerning the proposed action indicates that none of the specific criteria for not granting a CATEX, found in 40 CFR 6.204(b)(1) through (b)(10), are present.

Based on our review, EPA approves the request for the CATEX. Please be reminded that EPA may revoke this CATEX if any of the following conditions occur:

- changes in the proposed action render it ineligible for exclusion,
- new evidence indicates that serious local or environmental issues exist, or
- federal, state, or local laws would be violated.

Should you have any questions regarding this decision, please address them to Grace Musumeci, Chief, Environmental Review Section, at the above address. Please note that this CATEX will be made available on EPA Region 2's website at <http://www.epa.gov/region02/spmm/r2nepa.htm>.

Sincerely,



George Pavlou
Acting Regional Administrator